



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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March 25, 2013

Ref: 8EPR-N

Ms. Kristin Yannone, Planner
Bureau of Land Management
Lander Field Office
P.O. Box 589
Lander, Wyoming 82520-0589

Dear Ms. Yannone:

The U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the Proposed Resource Management Plan (RMP) and Final Environmental Impact Statement (Final EIS) for the Lander Field Office Planning Area, CEQ# 20130034, prepared by the Bureau of Land Management (BLM). Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. Section 309 of the Clean Air Act directs the EPA to review and comment in writing on the environmental impacts of any major federal agency action.

Project Background

The Final EIS considers updates to the Lander RMP, which provides management direction to the BLM on planning issues including: energy and mineral management; water and air resources; livestock grazing; fire and fuels management; and wildlife and special status species habitat. The Lander planning area is located in west-central Wyoming in the Wind River Basin and is bordered by the Bridger-Teton National Forest and the Shoshone National Forest (Wind River Range of the Rocky Mountains) on the west. Within the 6.6 million acre planning area, the BLM administers approximately 2.4 million acres of surface land and 2.8 million acres of federal mineral estate. The BLM's Preferred Alternative, Alternative D, balances the use and conservation of planning area resources.

The EPA appreciated the opportunity to work closely with the BLM on air quality issues during the Draft and Final EIS development. We are pleased with the outcome of this effort and hope our collaboration can continue. The Final EIS resolves the air quality concerns that we raised on the DEIS. We offer the following remaining comments involving protection of water resources.

Comments

Groundwater and Drinking Water Resources

The Final EIS includes several important measures that will help protect groundwater and drinking water resources. We support the BLM's inclusion in the Final EIS (Table 2-11, Record 1046) of a

mitigation measure that requires “project-level NEPA analysis for oil and gas development with project-specific comprehensive groundwater monitoring plans and programs to track potential groundwater impacts as drilling and production occurs.” We recommend that the BLM include this requirement in the Record of Decision (ROD), the final Resource Management Plan (RMP) and as a condition of approval (COA) for future projects to ensure that these important measures will be carried forward.

The Final EIS also added in Appendix H a list of Best Management Practices (BMPs) for consideration in projects located in groundwater zones 1-3, surface water zones 1-3, and sensitive aquifer systems. These BMPs provide critical safeguards to sources of drinking water and groundwater. We recommend that the final RMP identify the location of groundwater zones 1-3, surface water zones 1-3, sensitive aquifer systems and drinking water sources in the planning area to facilitate the use of these BMPs and assist future planning efforts. We also recommend that the ROD and final RMP clarify that the goal of the requirement for BMPs and mitigation measures is to prevent groundwater contamination, not just to “limit” it, as indicated in the Final EIS (Record Number 1027). The Final EIS (Record 1044) states that Wyoming DEQ Water Zones 1-3 will be managed with controlled surface uses. We did not locate a list of the controlled surface uses in the Final EIS. We recommend including a list of controlled surface uses in the final RMP to clarify the protect measures that will be required to mitigate impacts to these water resources.

Surface Water Protection and Mitigation

The EPA supports BLM’s inclusion of critical surface water protection requirements in the Final EIS. Requirements for the use of BMPs and mitigation to reduce point and nonpoint source contamination (Record 1027) and watershed monitoring (Record 2029) are valuable additions to the Final EIS. To help assure that the appropriate protection measures and mitigation is carried out, we recommend the final RMP include: 1) a list of BMPs to protect surface water, including wetlands, from point or nonpoint source contamination; and 2) a discussion about the timing and scope of the watershed monitoring requirements.

The additions to the Final EIS mentioned above have resulted in an improved document that more clearly outlines the BLM’s commitment to protection of its natural resources. We thank the BLM for its efforts and stress the importance of taking follow-up steps to ensure that interested parties fully understand and comply with the monitoring and mitigation measures included in the Final EIS and RMP. We appreciate the opportunity to provide comments on the Final EIS. If you have any questions or would like to discuss our comments, please contact me at (303) 312-6925. You may also contact Lisa Lloyd, NEPA lead reviewer, at (303) 312-6537 or by email at lloyd.lisa@epa.gov.

Sincerely,



Suzanne J. Bohan
Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation